IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
FIRST APPEAL NO.1208 OF 2004

Parvez Ahmed Mohd. Idris ...Appellant

vs.

The Municipal Corporation of
Greater Mumbai ...Respondent

Mr.B.P.Shukla for the Appellant
Mr.J.J.Xavier for the Respondent.

CORAM: A.S.OKA,J.
DATE : FEBRUARY 21,2007.

P.C.:

1. The Advocate for the Appellant has placed on record an Affidavit cum undertaking filed by the Appellant. Same is marked 'X' for identification. In view of the said Affidavit, following order is passed :

i) Appeal is dismissed as withdrawn.

ii) If the Application for regularization of the suit structure is made by the Appellant to the Respondent-Corporation within a period of ten weeks from today, the same shall be decided by the Respondent-Corporation within a period of eight weeks from the date of receipt of the Application. The order passed on the proposal shall be communicated by the concerned Officer of the Respondent to the Appellant within a period of one week from the date

of passing the order.

iii) If Application for regularisation is made within a period of ten weeks from today, for a period of six months from today, the Respondent-Corporation will not demolish the suit structure and even the Appellant will also maintain status quo as of today in respect of the suit structure. If the application for regularisation is not made within time, the Respondent-Corporation will be free to take action of demolition in respect of the suit structure.

iv) The proposal/Application for regularisation will be decided by the Respondent-Corporation on its own merits.

v) Parties to act upon an authenticated copy of this order.

JUDGE